

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

GAIL WASHBISH,	:	
	:	
Plaintiff,	:	CIVIL ACTION
	:	NO.
v.	:	
INTERNATIONAL BUSINESS	:	
MACHINES CORPORATION,	:	
	:	
Defendant.	:	April 10, 2023

**PLAINTIFF’S MOTION TO PROVISIONALLY SEAL PORTIONS OF PETITION AND  
MOTION TO VACATE ARBITRATION AWARD**

Pursuant to the confidentiality provision in Defendant IBM’s arbitration agreement, Petitioner is filing the petition, motion to vacate, and exhibits thereto under seal, and hereby requests that the documents remain under seal until the parties have the opportunity to confer which documents, *if any*, should remain under seal during the pendency of this petition to vacate. Plaintiff is also filing redacted versions of the petition and moving papers publicly.

The parties dispute whether these materials should ultimately be filed as a matter of public record or sealed based on the confidentiality provision in IBM’s arbitration agreement. However, until Defendant has an opportunity to brief the Court regarding the need to file these documents under seal, Plaintiff requests that he be permitted to file the petition, motion to vacate, and related arbitration documents provisionally under seal.

Dated: April 10, 2023

Respectfully submitted,

GAIL A. WASHBISH,

By her attorneys,

/s/ Shannon Liss-Riordan

Shannon Liss-Riordan (NY Bar No. 2971927)

Zachary Rubin (NY Bar No. 5442025)

LICHTEN & LISS-RIORDAN, P.C.

729 Boylston Street, Suite 2000

Boston, MA 02116

(617) 994-5800

Email: sliss@llrlaw.com, zrubin@llrlaw.com

### **CERTIFICATE OF SERVICE**

I hereby certify that on April 10, 2023, I caused a true and correct copy of the foregoing to be electronically mailed to Defendant's known counsel, who has agreed to accept service of this underlying petition to vacate and agreed to execute a waiver of service form upon being served with the related petition to vacate.

/s/ Shannon Liss-Riordan

Shannon Liss-Riordan